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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANCISCO GARCIA
AKA "CISCO",

Defendant.

CASE NO. 1:24-CR-00055-JLT-SKO

STIPULATION TO SET A GUILTY PLEA
HEARING AND EXCLUSION OF TIME

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney ANTONIO J. PATAKA, and defendant FRANCISCO GARCIA, both individually and by and through his counsel of record, NICHOLAS REYES, hereby stipulate as follows:

1. The Complaint in this case was filed on March 6, 2024, and defendant first appeared before a judicial officer of the Court in which the charge in this case was pending on March 15, 2024. The court set a preliminary hearing date of March 22, 2024.

2. On March 20, 2024, the parties filed an Information, plea agreement, and waiver of indictment.

3. By this stipulation, the parties jointly move to vacate the preliminary hearing or arraignment and plea set for March 22, 2024, for Mr. Garcia only, and set a plea hearing before the district judge for April 29, 2024, and to exclude time under the Speedy Trial act from March 22, 2024, to April 29, 2024.

4. The parties stipulate that the delay is required to allow the defense reasonable time for preparation for the change of plea hearing and to gather evidence in mitigation for sentencing. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

5. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between March 22, 2024, to April 29, 2024 be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: March 20, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ ANTONIO J. PATACA
ANTONIO J. PATACA
Assistant United States Attorney

Dated: March 20, 2024

/s/ NICHOLAS REYES
NICHOLAS REYES
Counsel for Defendant
Francisco Garcia

FINDINGS AND ORDER

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2 1. The preliminary hearing or arraignment and plea set for March 22, 2024, is hereby
3 vacated.

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5 2. An arraignment on the Information and a change of plea hearing is set before the district
6 judge for **April 29, 2024 at 9:00 a.m. before the District Court Judge Jennifer L. Thurston.**

7 3. Time under the Speedy Trial act is excluded from March 22, 2024, to April 29, 2024, to
8 allow the defense reasonable time for preparation for the change of plea hearing and to gather evidence
9 in mitigation for sentencing. The parties further agree that the interests of justice served by granting this
10 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §
11 3161(h)(7)(A).
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14 IT IS SO ORDERED.

15 Dated: **March 21, 2024**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE